

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLAUDIO RENE,

Plaintiff,

- against -

31 EAST 21 EXPRESS INC., ET AL.,

Defendants.

21-cv-7435 (JGK)

ORDER

JOHN G. KOELTL, District Judge:


By **June 30, 2023**, the plaintiff shall file proof of service of summonses and the second amended complaint on the following defendants: Andy Yangeksakul, 31 East 21 Express Inc., Express Thai One Inc., Best Thai on Gramercy Inc., Best Thai on 8 Corp., RTC 18 Corp., 331 Lexington Restaurant Corp., and Lucky Thai Express Inc. The plaintiff is reminded that, for service by mail under New York law, "[s]ervice is complete on the date the signed acknowledgement of receipt is mailed or delivered to the sender," and "[t]he signed acknowledgement of receipt shall constitute proof of service." N.Y. C.P.L.R. § 312-a(b); see also Fed. R. Civ. P. 4(e)(1) (incorporating by reference methods of service authorized by state law).

The time for Macharvadee Premwongsiri and Karnchanart Sae Loo to respond to the second amended complaint is extended to **July 5, 2023**. If those defendants fail to respond by that date, the plaintiff may move by order to show cause for a default judgment by **July 19, 2023**. If the plaintiff fails to move for a default judgment by that date,

the case will be dismissed against those defendants without prejudice for failure to prosecute.

SO ORDERED.

Dated: New York, New York
June 20, 2023



John G. Koeltl
United States District Judge